



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

Mr. Gerald Dempsey Posey III  
Air Pollution Control Officer  
Bay Area Air Quality Management District  
24 Willie Mays Plaza  
San Francisco, California 94105

Dear Mr. Posey:

Thank you for your submission of the [Name of District]'s 2012 Annual Monitoring Network Plan. We recognize the effort that the production of this document entails. We have reviewed the submitted document based on the requirements set forth under 40 CFR 58.10. EPA has compiled a checklist of the items that are required to be included in the annual network plan along with our assessment of whether the plan submitted by your agency addresses those requirements, included as Attachment A. Based on the information provided in the plan, EPA approves all portions of the network plan except those portions specifically identified below.

Please note that we cannot approve portions of the annual network plan for which incomplete or incorrect information was provided, or for which the network, as described in the annual network plan, does not meet the requirements as specified in 40 CFR 58.10 and the associated appendices. EPA Region 9 also cannot approve portions of the plan for which the EPA Administrator has approval authority. Accordingly, EPA is withholding approval of the specific portions of your agency's annual network plan listed in Attachment B and EPA is disapproving the specific portions of your agency's annual network plan listed in Attachment C.

Pending action by the EPA Administrator, EPA Region 9 preliminary believes the selection of [include area-wide NO<sub>2</sub> site(s) proposed that the region agrees to] meets the requirements for the area-wide NO<sub>2</sub> monitoring for the [CBSA name] CBSA as required by 40 CFR 58, Appendix D, 4.3.3. We will continue to work with your agency to get the NO<sub>2</sub> site(s) operational as expeditiously as possible.

In addition to the checklist and list of specific plan elements where EPA is withholding approval or disapproving, enclosed are additional detailed comments on the plan (Attachment D). If you have any questions regarding this letter or the enclosed comments, please feel free to contact me at (415) 972-3851 or Air Division Reviewer at (415) xxx-xxx.

**Comment [MJL1]:** Delete entire paragraph if area-wide language does not apply to geographic area.

**Comment [MJL2]:** I have specifically removed language about both RA40 and near-roadway, because I do not believe we have any instances where the language would be appropriate.

"We note your acknowledgement that the [include RA40 sites proposed that the regions and S/Ls have agreed to] site(s) should be considered among the additional NO<sub>2</sub> monitors intended to help protect susceptible and vulnerable populations as required by 40 CFR 58, Appendix D, 4.3.4. EPA Region 9 also preliminarily believes the proposed near-road NO<sub>2</sub> site(s) located at [site address] in the [CBSA name] CBSA meet the requirements of 40 CFR 58, Appendix D, 4.3.2."

Sincerely,

Matthew Lakin, Manager  
Air Quality Analysis Office

**Comment [MJL3]:** For final formatting, please have at least two lines of text with signature block.

Enclosures:

- A. Annual Network Plan Checklist
- B. Elements where EPA is Withholding Approval
- C. Elements that EPA is Disapproving
- D. Additional Detailed Comments

cc: Deputy APCO name, District Abbreviation  
Monitoring Manager name, District Abbreviation  
Karen Magliano, ARB

**Comment [MJL4]:** Copy Karen for all CA monitoring plans.

**Attachment B:** Annual air monitoring network plan elements where EPA is withholding approval.

EPA is withholding approval of the following portions of your agency's annual network plan, because either EPA Region 9 lacks the authority to approve specific elements of the plan, or incomplete or incorrect information was provided:

- NCore, PAMS, STN, and the plan for NO<sub>2</sub> monitoring. Per 40 CFR 58.11(c), NCore, PAMS, and STN network design and changes are subject to approval of the EPA Administrator and per 40 CFR 58.10(a)(5) plans for establishing NO<sub>2</sub> monitoring sites are submitted to the EPA Administrator for action.
- **Specific system modifications identified in the plan.** Approval of system modifications must be done in accordance with 40 CFR 58.14(c). Justification of system modifications per 40 CFR 58.14(c) was not sufficiently documented in the plan. Therefore, EPA cannot approve these changes as part of the annual network plan process. EPA will continue to work with your agency on the proposed system modification changes.
- Incomplete or incorrect information was provided in the plan for the following items listed below. EPA cannot determine whether these items meet the requirements of 40 CFR 58.10 and the associated appendices and is therefore withholding approval of the following items:
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**Comment [MJL5]:** Not all plans will have NCore, PAMS, STN, or required NO<sub>2</sub> monitoring. Similarly, not all plans will have system modifications. So we will have to set up a way for Bob to query reviewers to identify when this language is appropriate.

**Attachment C:** Annual air monitoring network plan elements that EPA is disapproving.

EPA is disapproving the following portions of your agency's annual network plan, because there is information indicating that EPA monitoring requirements are not being met:

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